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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,  
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11 Plaintiff,  
12 v.  
13 STEVEN THOMAS CHISEFSKI,  
14 Defendant.

Case No. CR22-94-RSL

ORDER GRANTING  
UNOPPOSED MOTION TO  
CONTINUE TRIAL AND  
PRETRIAL MOTIONS DUE  
DATE

15 This matter comes before the Court on defendant's "Unopposed Motion to Continue Trial  
16 and Pretrial Motions Deadline" (Dkt. # 20). Having considered the facts set forth in the motion,  
17 and defendant's knowing and voluntary waiver (Dkt. # 21), the Court finds as follows:

18 1. The Court adopts the facts set forth in the unopposed motion: in particular,  
19 defendant is currently engaged in substance use disorder treatment, and defense counsel requires  
20 additional time to review discovery with defendant, conduct legal research, prepare for pretrial  
21 motions, prepare for trial, and investigate potential defenses. The Court accordingly finds that a  
22 failure to grant a continuance would deny counsel, and any potential future counsel, the  
23 reasonable time necessary for effective preparation, taking into account the exercise of due  
24 diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

25 2. The Court finds that a failure to grant a continuance would likely result in a  
26 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

27 3. The Court finds that the additional time requested between the current trial date of  
28 September 26, 2022, and the proposed trial date of March 13, 2023, is a reasonable period of

ORDER GRANTING UNOPPOSED  
MOTION TO CONTINUE TRIAL - 1

1 delay. The Court finds that this additional time is necessary to provide defense counsel  
2 reasonable time to prepare for trial, as defendant has requested more time to prepare for trial, to  
3 continue to investigate the matter, to gather evidence material to the defense, and to consider  
4 possible defenses. The additional time requested between the current trial date and the new trial  
5 date is necessary to provide counsel for the defendant the reasonable time necessary to prepare  
6 for trial, considering all of the facts set forth above.

7 4. The Court further finds that this continuance would serve the ends of justice, and  
8 that these factors outweigh the best interests of the public and defendant in a speedier trial,  
9 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

10 5. Defendant has signed a waiver indicating that he has been advised of his right to a  
11 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived  
12 that right and consented to the continuation of his trial to a date up to and including March 27,  
13 2023, Dkt. # 21, which will permit his trial to start on March 13, 2023.

14 IT IS HEREBY ORDERED that the trial date shall be continued from September 26,  
15 2022 to March 13, 2023, and pretrial motions are to be filed no later than February 10, 2023;

16 IT IS FURTHER ORDERED that the period of time from the current trial date of  
17 September 26, 2022, up to and including the new trial date, shall be excludable time pursuant to  
18 the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing  
19 and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C.  
20 §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

21 DATED this 15<sup>th</sup> day of August, 2022.

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24 Robert S. Lasnik  
25 United States District Judge  
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